

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ASIM AMRAN,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 15-12959-NMG
)	
COMMISSIONER OF CORRECTIONS,)	
)	
Respondent.)	

REPORT AND RECOMMENDATION ON PETITIONER'S MOTION TO STAY
[Docket No. 2]

January 4, 2016

Boal, M.J.

On July 15, 2015, pro se petitioner Asim Amran filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. Docket No. 1. On that same date, he filed a motion seeking a stay and abeyance of the petition so that he could exhaust certain claims in state court, and then if necessary, amend the habeas petition to include those claims. Docket No. 2. For the following reasons, this Court recommends that the District Judge assigned to this case deny the motion.

I. FACTUAL AND PROCEDURAL BACKGROUND

On December 12, 2012, a Worcester Superior Court jury convicted Amran of murder in the first degree. See Docket No. 1 at 1, Docket No. 1-2 at 61. The trial judge sentenced Amran to life in prison. Id. Amran timely appealed. Docket No. 1-2 at 62.

Before the Massachusetts Supreme Judicial Court ("SJC"), Amran alleged error in (1) the admission of photographs prejudicially depicting the victim's body in an advanced state of decomposition, and lacking any relevance to any issue at trial; (2) the failure to grant a mistrial,

and letter
After consideration of Petitioner's motion for reconsideration, (Docket No. 35) thereto, Report and Recommendation is accepted and adopted. S/M Gorton, USDJ 1/29/16